

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 4531  
OFFERED BY MS. CASTOR OF FLORIDA**

Page 36, after line 11, insert the following new sections (and make such conforming changes as may be necessary):

**1 SEC. 308. INCREASING THE APPLICABLE FMAP FOR STATE  
2 EXPENDITURES ATTRIBUTABLE TO CERTAIN  
3 BEHAVIORAL HEALTH SERVICES.**

4 Section 1905 of the Social Security Act (42 U.S.C.  
5 1396d) is amended—

6 (1) in subsection (b), by striking “and (ii)” and  
7 inserting “(ii), and (jj)”; and

8 (2) by adding at the end the following new sub-  
9 section:

10 “(jj) INCREASED FMAP FOR MEDICAL ASSISTANCE  
11 FOR SERVICES FURNISHED BY MENTAL HEALTH AND  
12 SUBSTANCE USE DISORDER CARE PROVIDERS IN CER-  
13 TAIN SCHOOL-BASED SETTINGS.—

14 “(1) IN GENERAL.—Notwithstanding any pre-  
15 ceding provision of this section, with respect to State  
16 expenditures for medical assistance consisting of  
17 services provided by a mental health and substance

1 use disorder care provider (as defined in section 3  
2 of the Advancing Student Services In Schools Today  
3 Act) and furnished at a school or at a school-based  
4 health center (as defined in section 399Z–1(a)(3) of  
5 the Public Health Service Act) on or after the first  
6 day of the first calendar quarter beginning on or  
7 after the date that is 12 months after the date of  
8 the enactment of this subsection, the Federal med-  
9 ical assistance percentage otherwise determined  
10 under subsection (b) shall, subject to paragraph (2),  
11 be equal to 90 percent.

12 “(2) APPLICATION OF HIGHER MATCH.—Para-  
13 graph (1) shall not apply in the case of State ex-  
14 penditures described in such paragraph if applica-  
15 tion of such paragraph would result in a lower Fed-  
16 eral medical assistance percentage for such expendi-  
17 tures than would otherwise apply without application  
18 of such paragraph.

19 “(3) EXCLUSION OF EXPENDITURES FROM TER-  
20 RITORIAL CAP.—Any payment made to a territory  
21 for expenditures for medical assistance described in  
22 paragraph (1) that are subject to the Federal med-  
23 ical assistance percentage specified under such para-  
24 graph shall not be taken into account for purposes  
25 of applying payment limits under subsections (f) and

1 (g) of section 1108 to the extent that such payment  
2 exceeds the amount of the payment that would have  
3 been made to the territory for such expenditures  
4 without regard to this subsection.”.

5 **SEC. 309. PROGRAM TO INCREASE MENTAL HEALTH AND**  
6 **SUBSTANCE USE DISORDER CARE PRO-**  
7 **VIDERS IN SCHOOLS AND SCHOOL-BASED**  
8 **HEALTH CENTERS.**

9 (a) GRANT AUTHORITY.—Not later than 12 months  
10 after the date of enactment of this Act, the Secretary of  
11 Health and Human Services (referred to in this section  
12 as the “Secretary”), in consultation with the Adminis-  
13 trator of the Centers for Medicare & Medicaid Services  
14 and the Secretary of Education, shall award grants, con-  
15 tracts, or cooperative agreements to eligible entities to in-  
16 crease the number of mental health and substance use dis-  
17 order care providers in schools and school-based health  
18 centers served by such entities.

19 (b) APPLICATION.—An eligible entity seeking an  
20 award under this section shall submit an application to  
21 the Secretary at such time, in such manner, and con-  
22 taining such information as the Secretary may require, in-  
23 cluding a description of—

1           (1) the mental health and substance use dis-  
2           order needs of the student population served by the  
3           eligible entity; and

4           (2) with respect to the student population  
5           served by the eligible entity, how the eligible entity  
6           will ensure that the mental health and substance use  
7           disorder care providers supported by the eligible en-  
8           tity, and the services administered by such pro-  
9           viders, are culturally competent and linguistically  
10          appropriate.

11          (c) RESTRICTION.—No funds made available through  
12          an award under this section may be used for a threat as-  
13          sessment team.

14          (d) REPORTING.—

15           (1) ELIGIBLE ENTITY REPORTING.—Eligible  
16           entities receiving an award under this section shall  
17           submit an annual report to the Secretary accom-  
18           panied by such information as the Secretary may re-  
19           quire, including—

20           (A) the number of mental health and sub-  
21           stance use disorder care providers working at  
22           the schools or school-based health centers  
23           served by the eligible entity, and the number of  
24           such providers supported through the award;

1 (B) the types of services provided by the  
2 mental health and substance use disorder care  
3 providers and the efficacy of such services;

4 (C) the practices used by the schools or  
5 school-based health centers served by the eligi-  
6 ble entity to recruit and retain mental health  
7 and substance use disorder care providers; and

8 (D) the rates of retention of mental health  
9 and substance use disorder care providers at  
10 the school or school-based health center.

11 (2) SECRETARY.—Not later than 18 months  
12 after the date of enactment of this section, and every  
13 5 years thereafter, the Secretary shall submit to  
14 Congress a report on the effectiveness of the awards  
15 under this section.

16 (e) DEFINITIONS.—In this section:

17 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
18 ty” means—

19 (A) a local educational agency, as defined  
20 in section 8101 of the Elementary and Sec-  
21 ondary Education Act of 1965 (20 U.S.C.  
22 7801);

23 (B) an institution of higher education, as  
24 defined in section 101 of the Higher Education  
25 Act of 1965 (20 U.S.C. 1001);

1 (C) a school operated by the Bureau of In-  
2 dian Affairs; or

3 (D) a school-based health center, as de-  
4 fined in section 399Z-1(a)(3) of the Public  
5 Health Service Act (42 U.S.C. 280h-5(a)(3)).

6 (2) MENTAL HEALTH AND SUBSTANCE USE  
7 DISORDER CARE PROVIDER.—The term “mental  
8 health and substance use disorder care provider”  
9 means an individual who is licensed or credentialed  
10 to provide mental health and substance use disorder  
11 services, including—

12 (A) a school counselor;

13 (B) a school psychologist or any other psy-  
14 chologist;

15 (C) a psychiatrist who specializes in child  
16 or adolescent psychiatry;

17 (D) a school social worker;

18 (E) a peer support specialist or peer recov-  
19 ery coach;

20 (F) a licensed clinical social worker;

21 (G) an addiction medicine specialist; and

22 (H) other providers, as the Secretary de-  
23 termines appropriate.

